

Court of Appeals, State of Michigan

ORDER

People of MI v Jeffrey Austin

Docket No. 290749

LC No. 08-015259-FH

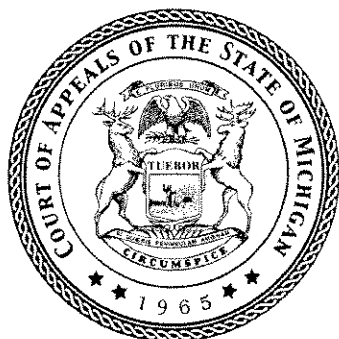
Christopher M. Murray
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood
Judges

The Court orders the prosecuting attorney to submit a response to defendant's delayed application for leave to appeal, and to specifically address whether defendant's separate convictions of unlawful driving away of an automobile, MCL 750.413, in two counties based on the same incident, violates the double jeopardy clauses of the United States and Michigan Constitutions. US Const, Am V; Mich Const 1963, Art I, §15. The response shall be filed with the clerk of this Court no later than 21 days from entry of this order.

It is further ordered that defendant's delayed application for leave to appeal and motion for peremptory reversal are HELD IN ABEYANCE, pending further order of the Court.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR - 7 2009
Date

Sandra Schultz Mengel
Chief Clerk